



**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Monthly Enforcement Report**  
**for actions during May 2012**  
**DISTRIBUTED: June 21, 2012**

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*This report has been prepared to satisfy a statutory obligation the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or [peter.j.carney@maine.gov](mailto:peter.j.carney@maine.gov) for additional information regarding the activities listed in this report.*

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The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and impose penalties to deter similar actions in the future.

**Administrative Consent Agreements Approved by the Commissioner and Office of the Attorney General (party followed by location):**

*Mining:*

**Long Lake Construction, Madawaska, Maine.** Long Lake Construction violated Maine's *Performance Standards for Excavations for Borrow, Clay, Topsoil, or Silt* law by: expanding a gravel pit by more than five acres since 1970 without first filing a "Notice of Intent to Comply"; excavating gravel from below the seasonal high water table without first obtaining a variance; and operating a gravel pit that drains externally without first obtaining a variance. In addition, Long Lake Construction violated Maine's *Protection and Improvement of Waters* law by discharging soil to waters of the State. Specifically, Long Lake Construction was operating a gravel pit with a working area of approximately eight acres and had not submitted the required notice and excavation activity had intercepted the water table. A ditch several hundred feet in length was constructed to allow water to drain out of the pit. Sediment discharged through the ditch, impacting Long Lake. Following Department involvement, Long Lake Construction backfilled the externally draining ditch and seeded all disturbed areas to prevent sediment from reaching Long Lake. To resolve the violations, Long Lake Construction agreed to submit an after-the-fact "Notice of Intent to Comply" and backfill areas in the gravel pit where the water table is exposed. In addition, Long Lake Construction will pay the amount of \$6,120 as a civil monetary penalty pursuant to the terms of a payment plan.

**Steven L. Quint and Lendell Quint, North Berwick, Maine.** Steven L. Quint and Lendell Quint ("the Quints") violated Maine's *Performance Standards for Excavations for Borrow, Clay, Topsoil, or Silt* law by expanding an existing gravel pit beyond an area that exceeds ten acres without first notifying the Department of an intent to expand and by operating a working pit larger than ten acres without obtaining a variance from the Department. Specifically, the Quints operated a gravel pit with a total working area of approximately fourteen acres without first notifying the Department of an intent to expand and without obtaining a variance to operate a working pit larger than ten acres. Following Department involvement, the Quints filed a notice of intent to expand and reclaimed a portion of the pit to reduce the total working area of the pit to less than ten acres. To resolve the violations, the Quints will pay \$3,200 as a civil monetary penalty pursuant to the terms of a payment plan.

*Oil:*

**Smokey's Greater Shows, Inc., Yarmouth, Oxford, and Brunswick, Maine.** Smokey's Greater Shows, Inc. ("Smokey's") violated provisions of Maine's *Oil Discharge Prevention and Pollution Control* law by causing discharges of oil to soil, ground water, and surface water resources and failing to immediately undertake removal of prohibited discharges of oil. Specifically, equipment and vehicles owned or operated by Smokey's discharged oil at a site in Yarmouth. Department and Town of Yarmouth staff took action to remove the discharges at the Yarmouth site. Equipment belonging to Smokey's failed and caused a discharge of hydraulic oil to the soil at a location in Oxford. Department staff subsequently determined that Smokey's was responsible for equipment located in other areas of the Oxford site where oil discharges were discovered. Following Department involvement, Smokey's staff removed and disposed of oil-contaminated soil from the Oxford site. At a location in Brunswick, a truck belonging to Smokey's had been repaired and during or subsequent to the repair activity approximately twenty gallons of diesel fuel was discharged to the surface of a parking lot. The Brunswick Fire Department cleaned up the site. To



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resolve the violations, Smokey's agreed to in the future clean up any oil spills immediately to the Department's satisfaction, pay \$379.29 to reimburse the Department's oil spill clean-up costs, and will pay the amount of \$25,000 as a civil monetary penalty pursuant to the terms of a payment plan.